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# Westmoreland goes to the front in battle with CBS

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NEW YORK - What was Gen. William C. Westmoreland's worst transgression during 40 years in uniform?

According to a CBS News report: Suppressing critical intelligence on the Vietnamese enemy in the year leading up to the 1968 Tet offensive.

According to the general himself: Doing 20 miles an hour in a 10 m.p.h. zone.

In the war of words known as Westmoreland vs. CBS, such are the contradictory statements being strewn across the battlefield for the jury to wade through in search of its own version of the truth.

And on Thursday, after sitting impassively for more than a month while generals, colonels and others fired their rounds at CBS, Westmoreland stepped up to the front line. During two days of testimony, he led a 12-member jury from his boyhood years in a "little town called Saxton, South Carolina," to his four-year tour as commander of ground forces in Vietnam.

Westmoreland contends that if he had broken the military's code of honor by suppressing information about enemy troop strength from his superiors he would have been court-martialed and run out of the Army. In his fight against CBS, he hopes to win \$120 million for "distorted, false and specious information" in a 1982 CBS broadcast, "The Uncounted Enemy: A Vietnam Deception."

Most of the enemy troops Westmoreland allegedly cut from intelligence reports were "old men, women and young boys" who "dug fortifications, planted punji sticks and were not a threat to us," he told the jury. And the key

document he supposedly tampered with - a thick periodical called the Order of Battle summary - had no day-to-day value, Westmoreland said under questioning from his lawyer, Dan M. Burt.

Q. Were you familiar with the term "Order of Battle summary" in 1967?

A. I was aware of it. It was available in my office, but I don't recall having an occasion to refer to it.

Q. ... Can you tell me why you didn't make any use of any of these Order of Battle summaries?

A. Well, that was really historic data and it was not something that was useful to me. I'm sure it was useful to others, but I was concentrating on current intelligence.

Essentially, there were three intelligence shops interpreting enemy data in Saigon. The Current Intelligence Indications and Estimates Division, the CIIED, cranked out daily estimates of enemy strength. The Combined Intelligence Center-Vietnam, or CICV, focused on the long-range Order of Battle summaries. And the CIA did its own long-range work.

In 1967 the three shops fought over whether to continue counting village irregulars, including the old men Westmoreland talked about, as part of the enemy force. After many bitter sessions, Westmoreland and the CIIED prevailed over the two other shops.

To build its charge of a military conspiracy, the CBS documentary relied on "losers" from the CIA and CICV. To try to topple that charge, Burt has been bringing "winners" from CIIED onto the witness stand.

Part of his strategy is to portray CICV analysts as being on the outside unable to look in at a wealth of top-secret information available to their CIIED counterparts.

Q. Gen. Westmoreland, did you know what the people at CICV did in 1967?

A. Yes. They concentrated on translating captured documents. ... Because of Vietnamese involvement, the officers working in that particular operation had a very low clearance. There was certain information that we did not want the American officers to have because of the hazard of compromising this classified information.

Trial testimony indicates that by May 1967 CICV analysts had found evidence of almost twice as many irregular troops as the 112,760 being carried in the Order of Battle summary. According to CBS, the foul play began when Westmoreland saw a draft cable his chief of intelligence, Gen. Joseph McChristian, wanted to send to Washington on the new numbers.

"Consider Westmoreland's dilemma," reporter Mike Wallace said in the broadcast. "If he accepted his intelligence chief's findings, he would have to take the bad news to the President. If he didn't, well, there was only Gen. McChristian to deal with."

According to Wallace, Westmoreland choose the second option.

But that is not how Westmoreland remembers it. He testified that McChristian dropped by unannounced one evening, seeking endorsement for a draft cable containing numbers Westmoreland had never seen before. "I considered this a very irregular procedure," he said.

**Q.** Can you recall in any detail what the substance of your conversation was with Gen. McChristian?

**A.** Well, my recollection is I read the cable and ... I inquired as to the components of the irregulars. He informed me that they consisted of guerrillas, self-defense and secret self-defense [troops].

And I said, Joe, with respect to the self-defense and secret self-defense, we are not fighting those people. They are basically civilians. They don't belong in any numerical representation of the military capability of the enemy. ... I realized that such a cable if dispatched - and I wasn't about to dispatch it until I was briefed on it - would be terribly misleading and could be misinterpreted by people not familiar with the details of this irregular category.

**Q.** ... Did the draft cable surprise you in any way?

**A.** Well, it did. I hadn't been forewarned of it. This was late in the evening. I had come back from the field and I was tired. I had not been briefed on it.

**Q.** ... Did Gen. McChristian ex-

press any disagreement with your request for a briefing?

**A.** I don't see how he could express disagreement. After all, I was the commander.

That remark, said with a trace of a smile, drew laughs in the mahogany-and-marble courtroom. Then Westmoreland explained that he and his military "boss," the commander in chief of Pacific forces, received a briefing. And on his instructions, Westmoreland said, CICV analysts separated the enemy "fighters" from their regular troops and briefed his "other boss," US Ambassador Ellsworth Bunker, on the numbers.

"My business was their business," said Westmoreland.

While the general is expected to remain on the stand for three or four more days, he has already contradicted much of "The Uncounted Enemy." And he has proved to be an effective witness.

He still has the granite features that made easy work for political cartoonists of the 1960s and the ramrod posture of his West Point years. But his steely gaze has softened and his hair has gone white. He treats the jurors like sons and daughters eager to hear about his

Vietnam years. Other witnesses have drawn yawns and droopy eyelids, but when Westmoreland told of his hard work and hardships, the jurors listened.

**Q.** What did you focus on while performing your duties in a normal day?

**A.** ... I would go to the crisis points as the first priority, but I attempted at least every three months to hit every part of South Vietnam. ... I would be briefed by Vietnamese commanders as well as American commanders. I would sometimes briefly interrogate a prisoner of war. I would talk to Vietnamese province chiefs. ... And on every trip I took out of Saigon - I don't believe I ever missed on this - I stopped by to see patients in an American hospital or Vietnamese hospital. ... My paperwork was done on airplanes, flying in helicopters, and when I would get home at night ... I frequently would fall asleep in my bed while reading studies or taking care of some of the administration that was required.

**Q.** How many days a week did you work, sir?

**A.** Seven days a week.